



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Jean C. Stevens, Interim Deputy Commissioner
Office for Elementary, Middle, Secondary and Continuing Education
Room 875 EBA (518) 474-5915

November 29, 2006

Mr. Jason Finlinson, Director
Academy at Ivy Ridge
5428 State Highway 37
Ogdensburg, NY 13669

Re: Application for Nonpublic School Registration of the Academy at Ivy Ridge (AIR)

Dear Mr. Finlinson:

I am writing in regard to the application of the Academy at Ivy Ridge (AIR) for registration as a nonpublic secondary school. Following careful review of the application and supplementary materials, and after two site visits, the State Education Department (Department) has determined that AIR does not meet the standards for high school registration. Accordingly, the Department and the Commissioner cannot recommend approval of AIR's application for nonpublic high school registration, and the application will not be advanced to the Board of Regents.

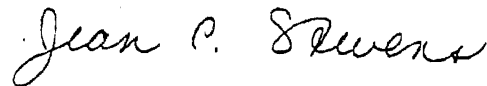
Under New York State's compulsory education law, an institution seeking registration as a nonpublic high school must demonstrate that its academic program is "substantially equivalent" to that provided in the public schools. AIR has failed to demonstrate substantial equivalency. Academic deficiencies include, but are not limited to, omitting key course content and ideas that are part of Regents Mathematics and Science Standards, over emphasis on students completing worksheets, and a lack of assessment tools and techniques used by teachers outside of workbook-based instruction and assessment. In addition, the Department's review revealed that AIR's academic program consists mainly of self-directed computer aided instruction without sufficient opportunity for student interaction with teachers and peers or adequate instructional guidance by teachers.

In addition, the Department has found health and safety aspects of AIR's program to be deficient. Deficiencies include inadequate systems to protect the health and safety of students, a chain of command that places one group of students over another, prohibition against students possessing any phone numbers or addresses, overly restrictive policies regarding student use of restrooms and inadequate staff training related to student restraint.

In sum, the Department finds that AIR's application has serious deficiencies in the areas of academics and health and safety. The Department's review revealed that AIR is principally a behavior modification center and not a school that should be accorded the privilege of administering Regents examinations and awarding diplomas.

In light of the fact that AIR does not meet the standards for high school registration, there is no need for an amendment to AIR's Articles of Organization." Accordingly, your request for a consent is returned herewith.

Sincerely,

A handwritten signature in cursive script that reads "Jean C. Stevens".

Jean C. Stevens

Enclosure

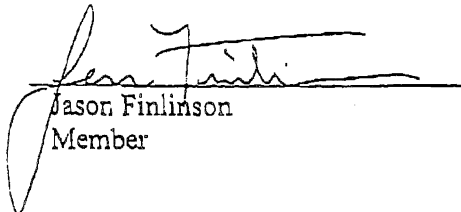
c: Charles Szuberla
Kathy Ahearn
Tom Hogan

**CERTIFICATE OF AMENDMENT
OF THE
ARTICLES OF ORGANIZATION
OF
ACADEMY AT IVY RIDGE, LLC.**

Under Section 211 of the Limited Liability Company Law

IT IS HEREBY CERTIFIED THAT:

- FIRST:** The name of the Company is Academy at Ivy Ridge, LLC.
- SECOND:** The original Articles of Organization of the Company were filed with the New York State Secretary of State on June 1, 2005.
- THIRD:** The original Articles of Organization are hereby amended to add an Article Fourth setting forth the corporate purposes of the Company as follows:
- "FOURTH: The purposes for which the Company is formed are as follows: To own, establish, operate and maintain a nonpublic boarding school or schools for children ages 12 to 21 and in grades 7 through 12, and to engage in any other lawful activity allowed under the Limited Liability Company Law. The Company shall have all powers and authority allowed under the Limited Liability Company Law in furtherance of these purposes."
- FOURTH:** Except as hereby amended, the original Articles of Organization shall remain in full force and effect.


Jason Finlinson
Member